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| 10/618,677  | 07/15/2003  | Hung-Yi Wu           | TAIW 152                  | 8556             |
| 7590 04/10/2006<br>RABIN & CHAMPAGNE, P.C.<br>1101 14 Street, N.W., Suite 500<br>Washington, DC 20005 |             |                      | EXAMINER<br>DUONG, OANH L |                  |
|   |             |                      | ART UNIT<br>2155          | PAPER NUMBER     |
| DATE MAILED: 04/10/2006   |             |                      |                           |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/618,677

Applicant(s)

WU, HUNG-YI

Examiner

Oanh Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-7 are presented for examination.

***Claim Objections***

2. Claim 1 is objected to because of the following informalities: the feature "TWAIN" should be defined in the claim. For example, "TWAIN" should be Tool Without an Interest Name (TWAIN).

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 recites the limitation "the imaging data hyperlink embedded document" in line 11. There is insufficient antecedent basis for this limitation in the claim.

For purpose of examination, examiner assumes "imaging data hyperlink embedded document" is "imaging data hyperlink embedded hypertext" and vice versa.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kim** et al. (hereafter, Kim), U.S. Pub. No. **2003/0120729 A1**, in view of **Kuroshima** et al. (hereafter, Kuroshima), U.S. Patent No. **6,782,426 B1**.

Regarding claim 1, **Kim** teaches a network image transmission system (i.e., the HTML page embedding link created for each image file is transmitted, page 7 paragraph [0092], Fig. 1), comprising:

a versatile business machine as a server site (i.e., scanner 4 including NEB 14, Fig. 1), including:

an image acquisition module (i.e., scanning software), used to retrieve image data (i.e., *scanner including a software module that scans in a document, generates an image file for the document*, page 3 paragraph 0039) and page 4 paragraph [0049]);

a data storage module, storing the image data (i.e., *NEB 14 including a software module for storing image files which are transferred it for storage thereby*, page 3 paragraph [0040] and page 4 paragraph [0049]) and obtaining an image data hyperlink address to generate an image data hyperlink embedded hypertext (i.e., *a link corresponding to the new image file is created and added to the HTML page*, page 5 paragraph [0067]);

a server site information management program (i.e., HTTP server), receiving an image data retrieving command to transmit the image data hyperlink embedded hypertext (i.e., *a request for a particular page is received, and attempt*

*is made to locate an HTML page corresponding to the received request, the HTML page is retrieved and transmitted, page 3 paragraph [0046], and page 5 paragraph [0071]); and*

*a first communication interface with hypertext transmission protocol (i.e., HTTP protocol), transmitting the image data hyperlink embedded document (i.e., NEB 14 supports a Hypertext Transfer Protocol (HTTP) server which enable workstations having access to web 10 to access NEB 14 using a web browser which supports HTTP protocol. Accordingly, NEB 14 contain file which may be passed to a such web browser according to HTTP protocol such as HTML fie, or GIF files, page 3 paragraph [0046]);*

*a host (i.e., workstation), receiving the image data (i.e., when received by a web browser of workstation, a web page is displayed including links to the image files, page 6 paragraph [0076]), the host including:*

*a user-site management program (i.e., a web browser), sending the image data retrieving command to the server-site data management program (i.e., upon receipt of a request/command sending from a web browser, Neb 14 including HTTH server retrieves the HTML page containing the link to the scanned document and then generates and sends to the requester, page 4 paragraph [0049]), and receiving and displaying the image data hyperlink hypertext (i.e., when received by a web browser, the web page including links to the image files is displayed, page 6 paragraph [0076]);*

*a second communication interface with hypertext transport protocol (i.e., workstation having access to NEB 14 using a web browser which supports HTTP protocol, page 3 paragraph [0046]), transmitting the image data hyperlink*

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embedded hypertext to the user-site data management program (i.e., *sending to requester/browser the HTML page containing the link, together with links to other images files corresponding to documents previously scanned*, page 4 paragraph [0049] and page 6 paragraph [0076]); and

a network (i.e., web 10), linking the first communication interface of the versatile business machine to the second communication interface of the host (i.e., *workstation having access to Web 10 to access NEB 14 using a web browser which supports HTTP protocol*, page 43 paragraph [0046]).

**Kim** does not explicitly teach TWAIN interface.

**Kuroshima** teaches server-client system wherein a TWAIN device such as scanner having a versatile interface is used, and an HTTP protocol is used as versatile network protocol is used as versatile protocol for controlling exchange of scanned image data (col. 11 lines 15-33 and col. 15 line 21-col. 16 line 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of **Kim** to include a TWAIN interface as taught by **Kuroshima** because such TWAIN interface would simplify the scanning process by enhancing the compatibility of the image-handling software and hardware of the system (see Applicant Admitted Prior Art in page 1 lines 16-17).

Regarding claim 2, **Kim** teaches the system of claim 1, wherein the image acquisition module retrieves the image data by scanning (i.e., *scanner 4 electronically scans hard copies of documents to generate binary or multilevel, color or grey scale, image files*, page 3 paragraph [0040]).

Regarding claim 3, **Kim** teaches the system of claim 1, wherein the user-site data management program is a data management program with browsing function (i.e., a web browser, page 3 paragraph [0046]).

**Kim** does not explicitly teach TWAIN interface.

**Kuroshima** teaches server-client system wherein a TWAIN device such as scanner having a versatile interface is used, and an HTTP protocol is used as versatile network protocol is used as versatile protocol for controlling exchange of scanned image data (col. 11 lines 15-33 and col. 15 line 21-col. 16 line 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of **Kim** to include a TWAIN interface as taught by **Kuroshima** because such TWAIN interface would simplify the scanning process by enhancing the compatibility of the image-handling software and hardware of the system (see Applicant Admitted Prior Art in page 1 lines 16-17)

Regarding claim 4, **Kim** teaches network image transmission method using HTTP and a communication interface with hypertext transport protocol to provide data transmission between a host (i.e., workstation) and a versatile business machine (i.e., scanner 4 including NEB 14, Fig. 1) (i.e., *NEB 14 supports a Hypertext Transfer Protocol (HTTP) server which enable workstations having access to web 10 to access NEB 14 using a web browser which supports HTTP protocol. Accordingly, NEB 14 contain file which may be passed to a such web browser according to HTTP protocol such as HTML file, or GIF files*, page 3 paragraph [0046]) the steps comprising:

the versatile business machine (i.e., scanner) scanning and saving the image data to retrieve an image data hyperlink address (i.e., *scanner 4 scans in a document, generates an image file for the document, outs the generated image file for storage,* page 4 paragraph [0049]);

the versatile business machine generates an image data hyperlink embedded hypertext (i.e., *a link corresponding to the new image file is created and added to the HTML page,* page 5 paragraph [0067]);

the host sending an image data retrieving command (i.e., *upon receipt of a request/command sending from a web browser, Neb 14 including HTTH server retrieves the HTML page containing the link to the scanned document and then generates and sends to the requester,* page 4 paragraph [0049]);

the versatile business machine receiving the image data retrieving command and then transmitting the image data hyperlink embedded hypertext to the host (i.e., *upon receipt of a request/command sending from a web browser, Neb 14 including HTTH server retrieves the HTML page containing the link to the scanned document and then generates and sends to the requester,* page 4 paragraph [0049]); and

the host displaying the image data hyperlink embedded hypertext, and recognizing its HTML to retrieve the image data (i.e., *when the HTML page is displayed, by simply clicking on a link, a request will be initiated for the full image file, and the full image file returned,* page 4 paragraph [0049]).

**Kim** does not explicitly teach TWAIN interface.

**Kuroshima** teaches server-client system wherein a TWAIN device such as scanner having a versatile interface is used, and an HTTP protocol is used as versatile



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network protocol is used as versatile protocol for controlling exchange of scanned image data (col. 11 lines 15-33 and col. 15 line 21-col. 16 line 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of **Kim** to include a TWAIN interface as taught by **Kuroshima** because such TWAIN interface would simplify the scanning process by enhancing the compatibility of the image-handling software and hardware of the system (see Applicant Admitted Prior Art in page 1 lines 16-17).

Regarding claim 5, **Kim** teaches the method of claim 4, wherein the versatile business machine retrieves the image data by scanning (i.e., *scanner 4 electronically scans hard copies of documents to generate binary or multilevel, color or grey scale, image files*, page 3 paragraph [0040]).

Regarding claim 6, **Kim** teaches the method of claim 4, wherein the user-site TWAIN data management program is a data management program with browsing function (i.e., *a web browser*, page 3 paragraph [0046]).

Regarding claim 7, **Kim** teaches the method of claim 4, further comprising setting HTML parameters before the versatile business machine generates the image data hyperlink embedded hypertext (i.e., page 5 paragraphs [0064]-[0069]).

### ***Conclusion***

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a) Mattis et al., U.S. Pub. No. 2003/0227553 A1 discloses store digital image that is acquired by the imaging device.

b) Angiulo et al., USPN 6,964,025 B2, discloses add images from TWAIN devices to a photo gallery on a web page.

c) Kizaki, U.S. Pub. No. 2001/0025326 A1 discloses modules of client computer acquire the scanned image.

d) Levine et al., U.S. Pub. No. 2003/0177448 A1 discloses an application program interface (API) is provided with a program application that enables the application program to acquire images from any TWAIN compliant image acquisition device.

e) Kidokoro et al., U.S. Pub. No. 2003/0103250 A1, disclose image data read by a scanner apparatus is to be transferred to and displayed by a simplified portable terminal.

f) Hamilton et al., U.S. Pub. No. 2003/0043420 A1, disclose digital image is acquired using an optical scanner.

g) Lavendel et al., USPN 6,587,129 B1, disclose user interface for image acquisition devices.

h) Biggs et al., U.S. Pub. No. 2004/0172451 A1, disclose system and method for sharing digital images.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Oanh Duong*

O.D

April 1, 2006